IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE
: PRESENT:
THE HON'BLE SRI JUSTICE **D.S.R. VARMA**
AND
THE HON`BLE SRI JUSTICE: **P. SWAROOPA REDDY**

C.M.A. No. 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028 OF 2000, 1766 of 1994 and 1253 of 1993 AND C.R.P. Nos. 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517 of 2000, 1654 and 5173 of 1994 and 3368 of 1993

CMA NO. 3021 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 32 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General
COUNSEL FOR THE RESPONDENTS:

CMA NO. 3022 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 35 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of

the Advocate General

COUNSEL FOR THE RESPONDENTS:

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CMA NO. 3023 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 34 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.

2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

CMA NO. 3024 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 37 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.

2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No.

599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

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CMA NO. 3025 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 36 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

CMA NO. 3026 of 2000

(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 38 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

3. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.

4. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

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CMA NO. 3027 of 2000

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(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 31 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

CMA NO. 3028 of 2000

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(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Senior Civil Judge, Cuddapah passed in O.P. No. 33 of 1994 dated: 30-12-1999)

Between:

The State of Andhra Pradesh, rep. by the Executive Engineer, Telugu Ganga Project, Division No. III, Barhamamghari Mattam, Cuddapah District.

Appellant

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.

2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

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CMA NO. 1766 of 1994

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(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the IV Additional Judge, City Civil Court, Hyderabad passed in O.P. No. 302 of 1991 dated: 19-04-1994)

Between:

Superintending Engineer (R&B), N.H. Circle, Nellore.

Appellant

AND

1. C . Venku Reddy, Class-I Contractor, S/o. C. Masthan Reddy, R/o. 16/1018, Pogathota, Nellore.
2. C. Narasimlu, Sole Arbitrator, Retired District & Sessions Judge, HG Block NO. 1, Plot NO. 6, Near Park, Baghlingampally, Hyderabad-44. (R2 is not necessary party to this CMA)

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

CMA NO. 1253 of 1993

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(Appeal under Section 39 of the Arbitration & Conciliation Act 1996 against the order of the Court of the Subordinate Judge, Nellore passed in O.P. No. 69 of 1992 dated: 31-03-1993)

Between:

Superintending Engineer (R&B), N.H. Circle, Nellore.

Appellant

AND

1. C. Venku Reddy, Class-I Contractor, S/o. C. Masthan Reddy, R/o. 16/1018, Pogathota, Nellore.
2. C. Narasimlu, Sole Arbitrator, Retired District & Sessions Judge, HG Block NO. 1, Plot NO. 6, Near Park, Baghlingampally, Hyderabad-44. (R2 is not necessary party to this CMA)

Respondents

COUNSEL FOR THE APPELLANT: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENTS:

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C.R.P. No. 3510 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 37 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

C.R.P. No. 3511 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 41 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No.

599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

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C.R.P. No. 3512 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 36 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

C.R.P. No. 3513 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 42 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

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C.R.P. No. 3514 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 43 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

C.R.P. No. 3515 of 2000

(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 39 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

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C.R.P. No. 3516 of 2000

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(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 38 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

C.R.P. No. 3517 of 2000

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(Petition under Section 115 of C.P.C. against the Order of the Court of the Senior Civil Judge, Cuddapah passed in O.S. No. 40 of 1994 dated 30-12-21999)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project, Circle, Cuddapah

Petitioner

AND

1. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
2. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Sri C.V. Bhaskar Reddy.

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C.R.P. No. 1645 of 1994

(Petition under Section 115 of C.P.C. against the Order of the Court of IV Additional Judge, City Civil Court, Hyderabad passed in O.P. No. 262 of 1991 dated: 28-07-1993)

Between:

The Superintending Engineer, Roads and Buildings Department, Rural Circle, Balakampet, Hyderabad.

Petitioner

AND

1. Chabbinath, Class-I Contractor, H. No. 5-1-446, Opp: Lorry Stand, Ranigunj, Secunderabad.
2. Sri V.V. Reddy, Chief Enginer (Retd.) and Former Member, Technical SPSEB and now Chairman, A.P. State Electricity Board, Vidyutsoudha, Hyderabad.
   (R2 is not necessary party to this C.R.P)

Respondents

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT NO1. Smt. D. Pramada

C.R.P. No. 5173 of 1994

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(Petition under Section 115 of C.P.C. against the Order of the Court of V Additional Judge, City Civil Court, Hyderabad passed in O.P. No. 469 of 1991 dated: 19-04-1994)

Between:

1. Government of A.P., rep. by the Secretary, Transport, Roads and

Buildings Department, Secretariat, Hyderabad.

2. The Superintending Engineer (R&B), N.N. Circle, Nellore, Nellore District.

Petitioners

AND

Sri C. Venku Reddy, Contractor, S/o. C. Masthan Reddy, R/o. 16/1018, Pogathota, Nellore

Respondent

COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT. Sri S.R. Ashok

C.R.P. No. 3368 of 1993

(Petition under Section 115 of C.P.C. against the Order of the Court of Subordinate Judge's Court, Nellore passed in O.P. No. 45 of 1992 dated: 31-03-1993)

Between:

The State of Andhra Pradesh, rep. by the Superintending Engineer, Telugu Ganga Project Circle, Dargamitta, Nellore 3.

Petitioner

AND

1. M/s. Harving Constructions Pvt. Ltd., 9-2-277/A/1, Road No. 2, Banjara Hills, Hyderabad-500034.
2. M. S. Ramanathan, S/o. Late Subba Rao.

(2nd Respondent herein is not necessary party to this CRP)

Respondent

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COUNSEL FOR THE PETITIONER: Special Government Pleader on behalf of the Advocate General

COUNSEL FOR THE RESPONDENT.

The Court made the following

ORDER:

"Pursuant to the orders passed by this Court on 24-01-2006, it appears that representations have been made by some of the parties to this batch of appeals to the Superintending Engineer concerned. Whereas the Special Government Pleader representing the learned advocate General submits that the representations be made to the Principal Secretary concerned, of Government of A.P., Hyderabad.

Upon such representations being made the Principal Secretary concerned or the Officer authorized shall dispose of the same within a period of eight weeks from the date of receipt of such representation.

Post on 16-06-2006 as "Part Heard".

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Senior Civil Judge, Cuddapah, Cuddapah District.
2. The IV Additional Judge, City Civil Court, Hyderabad.
3. The Subordinate Judge, Nellore, Nellore District.
4. The Principal Secretary to the Government Roads and Buildings Department, Government of Andhra Pradesh, Secretariat, Hyderabad
5. M/s. Pioneer Builders, Engineers and Contractors, Plot No. 83, Srinagar Colony, Hyderabad-570083.
6. H.S. Bhat, S/o. H. Ramabhatta, Retd. Chief Engineer, Residing at No. 599, 10th Cross, Jayanagar, 7th Block (West), Bangalore-560082.
7. C . Venku Reddy, Class-I Contractor, S/o. C. Masthan Reddy, R/o. 16/1018, Pogathota, Nellore.
8. Chabbinath, Class-I Contractor, H. No. 5-1-446, Opp: Lorry Stand, Ranigunj, Secunderabad.
9. M/s. Harving Constructions Pvt. Ltd., 9-2-277/A/1, Road No. 2, Banjara Hills, Hyderabad-500034.
10. Two CCs to the Advocate General, High Court of A.P., Hyderabad. (OUT)
11. Two CCs to the Special Government Pleader, High Court of A.P., Hyderabad. (OUT)
12. Two Spare Copies.

Ksv

HIGH COURT

Ksv
Date of drafting: 13-04-2006

DSRV J
&

PSR J

DATE: 06-04-2006

NOTE: POST ON 16-06-2006
"PART HEARD"

ORDER

C.M.A. No. 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028 OF 2000, 1766 of 1994 and 1253 of 1993 AND C.R.P. Nos. 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517 of 2000, 1654 and 5173 of 1994 and 3368 of 1993

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DIRECTION